

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA

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DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Christopher M. Swisher A15 244848

Full name and prison number
of plaintiff(s)

v.

C/O. Rodgers C/O I

CIVIL ACTION NO. 2:07CV75-WKW
(To be supplied by Clerk of
U.S. District Court)

Name of person (s) who violated
your constitutional rights.
(List the names of all the
persons.)

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES () NO (xxx)
- B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES () NO (xxx)
- C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) N/A

Defendant(s) N/A

2. Court (if federal court, name the district; if state court, name the county) N/A
3. Docket number N/A
4. Name of judge to whom case was assigned N/A
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) N/A
6. Approximate date of filing lawsuit N/A
7. Approximate date of disposition N/A

II. PLACE OF PRESENT CONFINEMENT Draper Correctional Center

P.O. BOX 1107 ,Elmore AL, 36025

PLACE OF INSTITUTION WHERE INCIDENT OCCURRED Inmate was in the shower area of 5 Cell up.

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

NAME	ADDRESS
1. <u>C/O MR.Rodgers CO I</u>	<u>Draper Correctional Center</u>
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED _____

December 16, 2006 at approx. 10:25 pm

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: The use of excessive force by prison official without probable cause..

SUPPORTING FACTS: On Dec 16, 2006 at approx.10:25pm a fight broke out in 5 Cell-up and i was unaware of it happining due to me being in the shower at that time. The officer(C/O Rodgers COI)who i had a incident with early that morning was working 3rd shift and also was one of the officers who came when the officer who was working 5 Cell-up called for backup. He spotted me in the shower and ran in on me and stated(Get the fuck out of the shower and catch your fucking rack) as i turned off the shower and reached for my towel to cover up due to 3 female officers being in the cell. He(Officer.Mr.Rodgers C/O I) assaulted me in the wrist with a baton. As i ran out the shower butt naked he approached me from behind and kicked me in the butt with his boot. Five(5) mins. later i reported the assault to the officer who was working our cell which was C/O Jordan C/O I..

GROUND TWO: _____

Denial of medical assistance after an assault by a correctional officer.

SUPPORTING FACTS: After the assault by(Officer.Mr.Rodgers C/O I)it was five(5) minutes later that i reported the assault to Officer. Mr.Jordan C/O I who then told me that he would tell the Sgt. on duty which was SGT.Mr.Winters C/O II. Officer Mr. Jordan C/O I told the Sgt. and the Sgt said that"he was not going to send anyone to Health Care for anything".. There was two(2) more people that reported a assault but nothing was done. As of today Jan 17, 2007 i still have not had anything such as X-Rays or Doctor Treatment. The only thing that i have had is a body chart that was done on Dec 17,2006 and i have also filled out a medical request slip and still no doctor treatment..

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

File this complaint so that I may proceed with what ever the courts decide i
am entitled to concerning this matter..

Christopher M. Swisher ^{ARS#} 244848
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on January 17, 2007
(Date)

Christopher M. Swisher ^{ARS#} 244848
Signature of plaintiff(s)

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